

of 67 cases, 20 cases, and 106 cases of vinegar, remaining unsold in the original unbroken packages at Hartford and New London, Conn., alleging that the article had been shipped on or about May 24, June 19, July 15, September 22, and May 18, 1920, by the Naas Cider & Vinegar Co., Cohocton, N. Y., and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Steuben Brand Reduced to 4% Acetic Acid * * * reduced Cider Vinegar fermented * * * Made from Apples * * * Net Contents One Pint * * * Naas Cider & Vinegar Co., Inc. Cohocton, N. Y."

Adulteration of the article was alleged in the libels for the reason that distilled vinegar had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the article aforesaid, and for the further reason that the article had been mixed in a manner whereby its inferiority was concealed.

Misbranding of the article was alleged for the reason that the labeling upon the cases containing it bore certain statements, designs, words, and devices as follows, "Cider Vinegar fermented Made from Apples Net Contents One Pint" (design showing red apple), which statements, designs, words, and devices were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the said article was an imitation of and was offered for sale under the distinctive name of another article, to wit, cider vinegar, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 30, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal, with the proviso that in case the said marshal was able to effect a speedy sale of the article at private sale he should do so.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10803. Adulteration and misbranding of table oil. U. S. v. 2 Cases, et al, of Table Oil. Default decrees of condemnation, forfeiture, and destruction or sale. (F. & D. Nos. 14983, 15382. I. S. Nos. 6617-t, 5495-t, 5496-t, 5497-t. S. Nos. E-3374, E-3573.)

On June 7 and September 2, 1921, respectively, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 2 cases, each containing 10 gallon cans and 8 gallon cans, of table oil, and 15 gallon cans, 20 half-gallon cans, and 40 quart cans of table oil, remaining unsold in the original unbroken packages, in part at Waterbury and in part at Hartford, Conn., alleging that the article had been shipped by the Italy Commercial Co., New York, N. Y., in part May 10, 1921, and in part June 27, 1921, and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in substance in the libels for the reason that cottonseed oil had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article, and for the further reason that it was mixed in a manner whereby damage or inferiority was concealed.

Misbranding was alleged in substance for the reason that the labels of the gallon and half-gallon cans containing the article bore certain statements, to wit, "Finest Quality Table Oil Tipo Termini Imerese 1 Gal. Net" (or " $\frac{1}{2}$ -Gal. Net") and a scene showing olive pickers, and the labels of the quart cans containing the article bore certain statements, to wit, "Finest Quality Table Oil Insuperabile Termini Imerese Type Net Contents One Quart," which said statements, designs, words, and devices were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article, to wit, table oil, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages. Misbranding was alleged with respect to a portion of the article for the further reason that it purported to be a foreign product, when, in truth and in fact, it was a product of domestic manufacture packed in the United States.

On September 30, 1921, and June 21, 1922, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be sold by the United States marshal, or destroyed if such sale could not be speedily effected.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10804. Adulteration and misbranding of olive oil. U. S. v. 20 Cans of Alleged Olive Oil. Default decree of condemnation, forfeiture, and destruction or sale. (F. & D. No. 15030. I. S. No. 6613-t. S. No. E-3376.)

On June 8, 1921, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 cans of alleged olive oil, remaining unsold in the original unbroken packages at Bridgeport, Conn., alleging that the article had been shipped by Yohalem & Diamond, New York, N. Y., on or about May 10, 1921, and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in substance in the libel for the reason that cottonseed oil had been mixed and packed with the said article so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly or in part therefor, and for the further reason that it had been mixed in a manner whereby damage and inferiority were concealed.

Misbranding was alleged in substance for the reason that the cans containing the article bore certain statements, to wit, "Pure Olive Oil * * * This Olive Oil is guaranteed to be absolutely pure under chemical analysis Lucca Italy," which statements, together with the use of the Italian language, were false and misleading in that they were intended to be of such a character as to induce the purchaser to believe that the said article was pure olive oil, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article, to wit, olive oil, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the said package.

On June 21, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal, or destroyed, if such sale could not be speedily effected.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10805. Adulteration and misbranding of olive oil. U. S. v. 6 Dozen Cans and 16 Dozen Cans of Olive Oil. Default decree of condemnation, forfeiture, and destruction or sale. (F. & D. No. 15083. I. S. Nos. 6684-t, 6685-t, 6686-t. S. No. E-3388.)

On June 23, 1921, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen cans and 16 dozen cans of olive oil, remaining unsold in the original unbroken packages at Bridgeport, Conn., alleging that the article had been shipped by Yohalem & Diamond, New York, N. Y., on or about May 23, 1921, and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged in substance for the reason that the labels on the said 6 dozen cans of the said article bore the statements, to wit, "Pure Olive Oil * * * Extra Olio Puro d'Oliiva * * * Marca Stella * * * Non Plus Ultra Olio Sopraffino Puro d'Oliiva Garantito sotto qualunque Analisi Chimica * * * Net Contents One Full Half-Gallon * * *," and a design showing cherub bearing olive branch, and the labels of the said 16 dozen cans of the article bore the statements, to wit, "Pure Olive Oil * * * Olio Puro d'Oliiva Questo Olio d'Oliivia e'garantito assolutamente puro sotto